

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X	
	:	
UNITED STATES OF AMERICA	:	
- v. -	:	CONSENT PRELIMINARY ORDER
	:	OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
LEONARD LUNA,	:	
	:	22 Cr. 14 (PGG)
Defendant.	:	
-----	X	

WHEREAS, on or about December 14, 2021, LEONARD LUNA (the “Defendant”), was charged in a Sealed Information, 22 Cr. 14 (PGG) (the “Information”), with conspiracy to commit healthcare fraud, in violation of Title 18, United States Code, Section 1349 (Count One); making false statements relating to healthcare matters, in violation of Title 18, United States Code, Sections 1035 and 2 (Count Two); and conspiracy to commit money laundering, in violation of Title 18, United States Code, Section 1956(h) (Count Three);

WHEREAS, the Information included a forfeiture allegation as to Count One and Two of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(7);

WHEREAS, the Information also included a forfeiture allegation as to Count Three of the Information, seeking forfeiture to the United States, pursuant to Title 19, United States Code, Section 982(a)(1);

WHEREAS, on or about December 14, 2021, the Defendant pled guilty to Counts One through Three of the Information, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Counts One through Three of the Information and agreed to forfeit to the United States, pursuant to Title 18, United States Code,

Sections 982(a)(1) and (a)(7), a sum of money in United States currency, as a result of the commission of the offenses charged in Counts One through Three of the Information;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$100,000 in United States currency, representing, pursuant to Title 18, United States Code, Section 982(a)(7) the amount of proceeds traceable to the offenses charged in Counts One and Two of the Information that the Defendant personally obtained; and, pursuant to Title 18, United States Code, Section 982(a)(1), the property involved in the offense charged in Count Three of the Information; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offenses charged in Counts One and Two of the Information that the Defendant personally obtained and property involved in the offense charged in Count Three of the Information, cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Matthew Podolsky, Acting United States Attorney, Assistant United States Attorney Ryan W. Allison, of counsel, and the Defendant and his counsel, Joseph Amsel, Esq., that:

1. As a result of the offenses charged in Counts One through Three of the Information, to which the Defendant pled guilty, a money judgment in the amount of \$100,000 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offenses charged in Counts One and Two of the Information that the Defendant personally obtained and property involved in the offense charged Count Three of the Information, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant LEONARD LUNA, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Illicit Finance and Money Laundering Unit, 26 Federal Plaza, 38th Floor, New York, New York 10278 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment into the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

MATTHEW PODOLSKY
Acting United States Attorney for the
Southern District of New York

By:



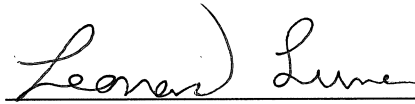
RYAN W. ALLISON
Assistant United States Attorney
26 Federal Plaza
New York, NY 10278
(212) 637-2474

3/20/25

DATE

LEONARD LUNA

By:



LEONARD LUNA

03/20/2025

DATE

By:



JOSEPH AMSEL, ESQ.
Attorney for Defendant

3-20-25

DATE

SO ORDERED:



HONORABLE PAUL G. GARDEPHE
UNITED STATES DISTRICT JUDGE

March 21, 2025

DATE